



**COMMISSION SUMMARY**

**AGENDA CATEGORY:** Other Reports

**ITEM NUMBER:** 3.E.2. Resolution 2020-2250

**DATE:** May 20, 2020

<b>SUBJECT</b>	Resolution 2020-2250 - Suspension of Six-Month Estimated Billing Provision
<b>SUMMARY</b>	A RESOLUTION suspending the 6-month meter reading requirement for customers with inside and remote water meters under the Public Utilities Article, Section 25-504, as authorized by Governor Hogan's March 12, 2020 State of Emergency Order.
<b>SPECIAL COMMENTS</b>	
<b>CONTRACT NO./ REFERENCE NO.</b>	N/A
<b>COSTS</b>	N/A
<b>AMENDMENT/ CHANGE ORDER NO. AMOUNT</b>	N/A
<b>MBE PARTICIPATION</b>	N/A
<b>PRIOR STAFF/ COMMITTEE REVIEW</b>  <b>PRIOR STAFF/ COMMITTEE APPROVALS</b>	Carla A. Reid, General Manager/CEO Monica J. Johnson, Deputy General Manager, Strategy & Partnerships Amanda Conn, General Counsel Damion Lampley, Director, Utility Services Department Crystal Knight-Lee, Director, Customer Service Department Sheila R. Finlayson, Esq., Corporate Secretary
<b>RECOMMENDATION TO COMMISSION</b>	Approve Resolution to Suspend 6-Month Estimated Billing Provision
<b>COMMISSION ACTION</b>	

RESOLUTION NO.: 2020-2250  
Adopted: May [20], 2020  
Effective Date: May [20], 2020

WASHINGTON SUBURBAN SANITARY COMMISSION

Subject: A RESOLUTION suspending the six-month meter reading requirement for customers with inside and remote water meters.

WHEREAS, on March 5, 2020, the Governor of Maryland issued an Order declaring a state of emergency and catastrophic health emergency to control and prevent the spread of COVID-19 within the State; and

WHEREAS, on March 12, 2020, the Governor of Maryland issued an Order extending certain licenses, registrations, and other governmental authorizations, including authorizing suspension of legal time requirements (“the March 12<sup>th</sup> Order”); and

WHEREAS, Section III of the March 12<sup>th</sup> Order, relating to suspension of legal time requirements, states:

- (a) The head of each unit of State or local government may, upon a finding that the suspension will not endanger the public health, welfare, or safety and after notification to the Governor, suspend the effect of any legal or procedural deadline, due date, time of default, time expiration, period of time, or other time of an act or event described within any State or local statute, rule, or regulation that it administers. The unit head shall provide public notice of any such suspension;
- (b) Such suspension may, at the discretion of the unit head and to the extent that it will not endanger public health, welfare, or safety, continue until no later than the 30<sup>th</sup> day after the date by which the state of emergency is terminated and the catastrophic health emergency is suspended; and

WHEREAS, the Washington Suburban Sanitary Commission (“the Commission”) is a Bi-County agency of the State of Maryland governed by Title II of the Public Utilities Article of the Maryland Code Annotated (“PUA”); and

WHEREAS, the Commission is a unit of State government for the purposes of the March 12<sup>th</sup> Order pursuant to advice received from the Governor’s legal office; and

WHEREAS, PUA §25-504(a)(1), which is administered by the Commission, authorizes the issuance of water and sewer bills on an estimated basis for periods of six-months or less; and

WHEREAS, PUA §§25-504(a)(2) and (3) mandate that the Commission read the water meter once every six-months and issue a final bill for any six-month bill period based on “the actual consumption adjusted by previous estimates;” and

WHEREAS, on March 12, 2020, the Commission suspended all in-home non-emergency work, including reading water meters located inside of customer homes in order to protect employees and customers from COVID-19; and

WHEREAS, Commission employees are currently unable to read water meters that are located inside of customer homes; and

WHEREAS, while Commission employees are continuing to obtain readings for certain inside meters that contain an outside remote reading device (“remote meters”), Commission employees are unable to enter homes with remote meters to address any maintenance problems that arise related to the remote reader or inside meter; and

WHEREAS, the Commission has certain programs in place to allow customers to read their inside meter and provide that meter reading to the Commission; and

WHEREAS, Commission employees are continuing to promote these programs to customers with inside and remote meters; and

WHEREAS, despite these programs, and due to the restrictions imposed as a result of COVID-19, the Commission may not be able to comply with the statutory mandate, as set forth in PUA §25-504(a), to issue bills based on actual metered usage once every six-months; and

WHEREAS, pursuant to the authority granted by the Governor of Maryland in the March 12<sup>th</sup> Order, the Commission desires to temporarily suspend the statutory mandate requiring the Commission to read the water meter once every six-months for those customers with inside or remote meters while the state of emergency exists; and

WHEREAS, the Commission has determined that this proposed action does not endanger the public health, welfare or safety.

NOW THEREFORE, BE IT RESOLVED, this \_\_\_\_ day of May, 2020, by the authority set forth in the aforementioned Governor’s Order dated March 12, 2020, and notwithstanding any law or regulation to the contrary:

- (1) the Commission hereby temporarily suspends the mandate set forth in PUA § 25-504(a) that the Commission read the water meter once every six-months for accounts that have inside or remote meters; and
- (2) the Commission be and hereby is authorized to issue estimated water and sewer bills for customers with inside or remote meters for periods greater than six-months; and

BE IT FURTHER RESOLVED, that this action may be applied retroactively to March 12, 2020, the date of the Governor’s Order authorizing this action; and

BE IT FURTHER RESOLVED, that this action shall be effective upon notice to the Governor of Maryland, which notice shall be made by the General Manager/CEO on behalf of the Commission; and

BE IT FURTHER RESOLVED, that notice of this Commission action shall be made to the public by posting the notice on the Commission's website.

A True Copy.

Attest:

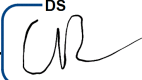
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
Sheila R. Finlayson, Esq.  
Corporate Secretary




Interoffice Memorandum

TO: Commissioners

THRU: Carla A. Reid  
General Manager/Chief Executive Officer 

Monica J. Johnson  
Deputy General Manager, Strategic Partnerships 

FROM: Crystal Knight-Lee  
Director, Customer Service 

DATE: May 20, 2020

SUBJECT: **Suspension of Six-month Estimated Billing Timeframe**

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PURPOSE

The purpose of this memo is to discuss the impact of estimated billing for our customers and the Commission during the COVID-19 pandemic emergency, and to obtain your approval to suspend the six-month estimated billing timeframe outlined in the Public Utilities Article 25-504 as authorized by Governor Hogan's March 12, 2020 Order.

ISSUE AND SCOPE

Our goal is to bill customers as accurately as possible based on actual meter readings. However, due to the current COVID-19 pandemic emergency, many customers could receive an estimated bill because we are not able to enter homes or because of maintenance issues related to inside remoted meters. Approximately 65% of our meters are located inside the property.

As you are aware, in an effort to protect our workers and our customers, on March 12, 2020, WSSC Water suspended all in-home work including reading inside meters.

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This decision was made in the interest of public health and safety and will be in place for as long as necessary in accordance with the declared state of emergency.

Section 25-504(a) of the Maryland Annotated Code, Public Utilities Article (PUA) allows WSSC Water to issue estimated bills for periods of six months or less, but mandates that WSSC Water obtain an actual meter reading once every six months. Further, the statute requires us to reissue the bill for the previously estimated period based on the actual meter reading that is obtained.

The chart below lists the number and percentage of meters located inside and outside of buildings.

Device Type	Number of Devices	%
Inside – No Remote	19,688	4%
Outside	159,051	34%
Inside – Remoted	282,731	61%
<b>Total</b>	<b>461,470</b>	

Considering the strict limitations mandated by PUA § 25-504(a) and the current COVID-19 related restrictions on entering homes to read or repair meters, there is the possibility, for accounts with inside meters, that WSSC Water will not be able to comply with the statutory mandate that we obtain a meter reading once every six months. The scope for the requested suspension is limited to meters that are inside of buildings and homes (remoted and non-remoted). We continue to actively read outside meters and do not foresee challenges with collecting these reads. We will continue to monitor our ability to collect reads from outside meters and associated risks to our operations.

#### METER READING OVERVIEW

WSSC Water meter readers within the Utility Services Department typically read approximately 8,000-9000 meters each day. Our billing system has a 10-day window for accepting meter reads. If an actual meter read is not received within the billing window, an estimated bill will generate for the customer. The bill will be estimated based on the customer's comparable average daily consumption (ADC). An estimated read can result in a bill that is higher or lower than expected. This can be challenging for customers who experience a leak at the property because they won't know about it until they receive the bill with the actual reading.

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Utility Services is continuing to actively read outside meters and will leave a yellow hang-tag (not home card) at the property with instructions for inside meter reads since they are unable to enter the home.

There are a couple of ways our customers can help provide us with an actual read.

- Customers can contact our main phone number and follow the prompts to enter their meter read in our Interactive Voice Response System (IVRS),
- Or, they can be connected to one of our Customer Service Advisors who will take the read and enter into our billing system.

PROACTIVE MEASURES TO ADDRESS CHALLENGES

We understand the uncertainty that our customers are already experiencing with this crisis and have taken additional steps to make collecting meter reads from customers easier. We are working on an emergency project that will enable customers to enter their meter readings online. This project is currently underway, and the new capability is expected to be available by the end of May 2020.

We are working closely with the Communications and Customer Relations Department to keep customers and stakeholders informed and to share information about WSSC Water's efforts to assist our customers during these critical times. This includes providing updated information through social media, Customer Pipeline, and our website about estimated reads, higher bills, and COVID-19 related information. We are also developing a post card that can be mailed to customers to encourage them to submit a meter reading. We expect to roll this out within the next 60 days.

DISCUSSION AND ANALYSIS

As a result of the pandemic emergency, the existing statutorily imposed six-month time limit for estimated bills imposes an unduly burdensome limit that impacts our operations and holds us to a meter reading timeframe for which we cannot reasonably maintain.

Governor Hogan issued an Order on March 12, 2020 which authorizes State agencies to suspend periods of time set forth in any State statute, rule or regulation that the agency administers, upon a finding that that the suspension will not endanger the public health, welfare, or safety.

The suspension may continue, at the agency's discretion, for 30 days beyond the end of the Governor's declared state of emergency.

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We are proactively seeking your approval to suspend the requirement that bills be estimated for no more than six-months. We are doing everything we can to get actual reads; however, we anticipate an increase in the number of estimated reads since we are not able to go inside the property or home.

The scope of the requested suspension includes inside meters (remoted and non-remoted). As discussed earlier, the current emergency prohibits us from entering homes and if we don't receive a read from the customer, the system will generate an estimated bill. Concerning inside meters with remotes, if there are maintenance issues with remotes and we are not able to troubleshoot them timely, the system will generate an estimated bill.

**By seeking a suspension of the six-month estimated bill mandate, we can ensure that we have the legal authority to issue estimated bills during this unprecedented health emergency.**

RECOMMENDATION

Suspend the six-month time requirements in §PUA 25-504 as authorized by Governor Hogan's March 12, 2020 Order, thereby providing management with the authority to resume meter reading for inside and remoted meters only when deemed safe. Understanding that inside meters and some inside remoted meters may not be able to be appropriately read, the suspension would allow us to issue estimated bills beyond the six-month timeframe.

CC: Heather Ashbury, Associate Counsel, General Counsel's Office  
Joseph Beach, Deputy General Manager, Administration  
John Curry, Deputy Director, Customer Service Department